

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>EARL MITCHELL, JR.,</b>	)	<b>CASE NO. 4:09CV3174</b>
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
<b>ROBERT HOUSTON, Director</b>	)	
<b>Nebraska Dept. of Correctional</b>	)	
<b>Services,</b>	)	
	)	
<b>Respondent.</b>	)	

This matter is before the court on its own motion. On September 29, 2009, the Clerk of the court sent a Memorandum and Order (Filing No. [10](#)) to Earl Mitchell, Jr. ("Mitchell") at his last known address. On October 5, 2009, that document was returned to the court as undeliverable and resent to Mitchell at the forwarding address provided on the returned document. (Filing No. [11](#).) On October 13, 2009, the document was, again, returned to the court as undeliverable. (Filing No. [12](#).)

Mitchell has an obligation to keep the court informed of his current address at all times. See [NEGenR 1.3\(e\) and \(g\)](#) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). This case cannot proceed if Mitchell's whereabouts remain unknown.

IT IS THEREFORE ORDERED that:

1. Mitchell shall have until January 29, 2010, to apprise the court of his current address, in the absence of which this case will be dismissed without prejudice and without further notice; and

2. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: January 29, 2010: deadline for informing court of new address.

Dated this 29<sup>th</sup> day of December, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Court

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